

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Koji (nmi) Takeguchi  
Serial No.: 10/775,929  
Filing Date: February 10, 2004  
Title: *Upgraded Flexible Open Ring Optical Network and Method*

Commissioner For Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

<p>Certificate of Mailing by Express Mail No. EV 324643161 US I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" under 37. C.F.R. 1.10 on the date shown below, and addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.</p> <p>Name: <u>Willie Jiles</u> Willie Jiles</p> <p>Date: April 2, 2004</p>
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**INFORMATION DISCLOSURE STATEMENT**

Under 37 C.F.R. §§ 1.56, .97, and .98, Applicant respectfully requests that the references listed in the attached PTO-1449 form be considered and cited in the examination of the Application. The present Application was filed after June 30, 2003. Therefore, under the July 11, 2003, waiver of 37 C.F.R. § 1.98(a)(2)(i) by the U.S. Patent and Trademark Office, copies of U.S. Patents and U.S. Patent Application Publications listed in the attached PTO-1449 form are not enclosed. Copies of all other references are enclosed for the convenience of the Examiner.


**REMARKS**

Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than thirty (30) days prior to the filing of this Information Disclosure Statement, and this Information Disclosure is submitted before an Office Action on the merits. Therefore, pursuant to 37 C.F.R. § 1.97(b) and (c), no fee is believed to be due. If, however, a fee is due, the Commissioner is hereby authorized to charge any such fee to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.

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Date: April 2, 2004

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**05073**

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PTO-1449		Application No. <b>10/775,929</b>		Applicant(s) <b>Koji (nmi) Takeguchi</b>	
Information Disclosure Citation In an Application		Docket Number <b>064731.0350</b>	Group Art Unit <b>Unknown</b>	Filing Date <b>February 10, 2004</b>	

U.S. PATENT DOCUMENTS						
	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	6,295,146 B1	09/25/2001	Nathan et al.	359	119	01/14/1998
B						
C						
D						
E						
F						
G						
H						
I						
J						
K						

FOREIGN PATENT DOCUMENTS							
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
L	EP 0 716 521 A2	06/12/1996	European Patent Convention	H04J	14/20	X	
M	EP 0 907 266 A2	04/07/1999	European Patent Convention	H04J	14/20	X	
O	EP 0 677 935 A1	04/11/1995	European Patent Convention	H04J	14/20		X

NON-PATENT DOCUMENTS		
	DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	DATE
P	Toba, H., et al., "Demonstration of Optical FDM Based Self-Healing Ring Network Employing Arrayed-Waveguide-Granting ADM Filters and EDFAs," NTT Transmission Systems Laboratories, pp. 263-266	09/24/1994
Q	Notification of Transmittal of the International Search Report or the Declaration (PCT Rule 44.1) mailed March 17, 2004 (9 pages) re International Application No. PCT/US 03/16193	03/17/2004

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

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